

HOUSE BILL 174

By McCormick

AN ACT to amend Tennessee Code Annotated, Title 33,
Chapter 7, Part 3, relative to competency to stand
trial reports and retirement of misdemeanor
charges for individuals incompetent to stand trial.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 33-7-301(c), is amended by inserting the following sentence at the end of the subsection:

This reporting obligation shall cease at the point that misdemeanor charges are retired for defendants with no other charges in accordance with subsection (d).

SECTION 2. Tennessee Code Annotated, Section 33-7-301, is further amended by adding the following language as a new, appropriately designated subsection:

(d) If a defendant is found to be incompetent to stand trial, any misdemeanor charges pending at the time of the incompetency determination shall be retired no later than 11 months and 29 days after the date of arrest when the misdemeanor charge or charges have not otherwise been disposed of except that no misdemeanor charges shall be retired pursuant to this subsection if the defendant is restored to competency prior to the date on which the misdemeanor charge or charges would have otherwise been retired under this subsection.

SECTION 3. This act shall take effect upon becoming law, the public welfare requiring it.